

10/594417  
IAP01 Rec'd PCT/PTO 26 SEP 2006

PATENT  
Attorney Docket No. 04853.0138  
Customer No. 22,852

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Shinzo YASUDA et al.** )  
Application No.: **Not Yet Assigned** ) Group Art Unit: **Not Yet Assigned**  
Filed: **September 26, 2006** ) Examiner: **Not Yet Assigned**  
For: **PROCESS FOR PRODUCING 1,3-PROPANEDIOL AND/OR 3-HYDROXYPROPIONIC ACID** )

National Stage of International Application No. PCT/JP2005/005480 under 35 U.S.C. 371

**MAIL STOP PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. With the exception of the U.S. patents, a copy of each listed document is attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. Japanese patent publication no. 03-65192. This document is related via patent family to U.S. 5,254,467.
2. Japanese patent publication no. 2005-102533. An English language abstract of this document is enclosed.

In lieu of a statement of relevance or the translation of the non-English documents listed above, enclosed is an English-language international search report from the Japanese Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing these documents and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 26, 2006

By:

  
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC//FPD/blc

IDS Form PTO/SB/08: Substitute for form 1449A/PTO

10/594417

Complete if Known

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

1

Application Number

Not Yet Assigned

Filing Date

September 26, 2006

First Named Inventor

Shinzo YASUDA

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

04853.0138

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,821,092	10-13-1998	Nagarajan et al.	
		US-5,254,467	10-19-1993	Kretschmann et al.	
		US-5,633,362	05-27-1997	Nagarajan et al.	
		US-5,686,276	11-11-1997	Laffend et al.	
		US-4,683,202	07-28-1987	Mullis	
		US-5,356,812	10-18-1994	Matsuyama et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
		WO 98/21339	05-22-1998	Gatenby et al.	
		WO 96/35795	11-14-1996	Nagarajan et al.	
		JP 03-65192	03-20-1991		No
		WO 96/35796	11-14-1996	Laffend et al.	
		WO 01/12833	02-22-2001	Emptage et al.	
		JP 2005-102533	04-21-2005	Toratani et al.	Abstract
		WO 98/21341	05-22-1998	Dunn-Coleman et al.	

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>		
		SEIFERT et al., "IDENTIFICATION AND EXPRESSION OF THE GENES AND PURIFICATION AND CHARACTERIZATION OF THE GENE PRODUCTS INVOLVED IN REACTIVATION OF COENZYME B <sub>12</sub> -DEPENDENT GLYCEROL DEHYDRATASE OF CITROBACTER FREUNDII", Eur. J. Biochem., Vol. 268, pp. 2369-2378, (2001).			

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.